

REMARKS

Claims 2–27 and 30–32 are currently pending in the subject application, and are presently under consideration. Claims 2–11, 30 and 32 are allowed. Claims 12–17, 21–24, 26 and 31 are rejected. Claims 18–20, 25 and 27 are objected to. Favorable reconsideration of the application is requested in view of the amendments and comments herein.

I. Amendments to the Specification

The Specification has been amended to recite the Serial Number (10/624,935) for the co-pending application. No new matter has been added.

II. The Objection to Claim 32 Should be Withdrawn

Claim 32 has been amended to depend from claim 30. Claim 32 has been indicated as patentable if amended to depend from claim 30. Accordingly, allowance of amended claim 32 is respectfully requested.

III. The Rejection of Claims 12–15 and 31 Under 35 U.S.C. §112 Should be Withdrawn

Claims 12–15 and 31 stand rejected under 35 U.S.C. §112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Withdrawal of this rejection is respectfully requested for at least the following reasons.

Claim 12 has been amended to eliminate its dependence from canceled claim 1. Claim 12 is now an independent claim. The Office Action of April 19, 2005 ("April Office Action") indicated that claim 12 would be patentable if rewritten in independent form (See April Office Action Page 5). Accordingly, allowance of amended claim 12 is respectfully requested.

Claims 13–15 depend from patentable amended claim 12. As amended, claim 12 is patentable. Accordingly, allowance of claims 13–15 is respectfully requested.

Claim 31 has been amended to depend from claim 30. Additionally, claim 31 has been amended to correct formal matters. Claim 30, from which amended claim 31 depends,

has been allowed in the present Office Action dated July 15, 2005 ("Office Action"). Accordingly, allowance of claim 31 is respectfully requested.

For the reasons described above, claims 12-15 and 31 are patentable, and their allowance is respectfully requested.

IV. The Rejection of Claims 16, 17 and 21-23 Under 35 U.S.C. §102 Should be Withdrawn

Claim 16, 17 and 21-23 stand rejected under 35 U.S.C. §102(b) as being clearly anticipated by U.S. Patent No. 4,170,715 to Mizokawa (hereinafter "Mizokawa"). Withdrawal of this rejection is respectfully requested for at least the following reasons.

Claim 16 has been amended to recite a second operating mode to control the driver to temporarily transition an output signal from one of normally high and low levels to an intermediate level between the normally high and low levels and then transition the output signal from the intermediate level to the other of the normally high and low levels. Thus, in amended claim 16, the intermediate level occurs during the transition from a high to a low level or from a low to a high level. The Office Action alleges that waveform 'c' disclosed in Fig. 3 of Mizokawa discloses the output signal recited in claim 16 (See Office Action, Page 3). Waveform 'c' in Mizokawa discloses a waveform with multiple amplitudes. In Mizokawa, the amplitudes are varied to compensate for the attenuation of a signal through a transmission path (See Mizokawa, Col. 3, Lines 54-56). In Mizokawa, the signal 'c' transitions directly from a high voltage to a low voltage, or vice versa. Nothing in Mizokawa discloses that the waveform 'c' has a waveform controller that temporarily transitions an output signal to an intermediate level between one of normally high and low levels, as recited in amended claim 16. Accordingly, Mizokawa does not disclose the waveform controller as recited in claim 16. Since Mizokawa does not disclose each and every element recited in amended claim 16, Mizokawa does not anticipate claim 16. Reconsideration and allowance of amended claim 16 are respectfully requested.

Claims 17 and 21-23 depend either directly or indirectly from amended claim 16. Accordingly, claims 17 and 21-23 are patentable over the cited art for at least the same reasons as claim 16, and for the specific elements recited therein. Thus, reconsideration and allowance of claims 17 and 21-23 are respectfully requested.

For the reasons described above, claims 16-17 and 21-23 are patentable. Accordingly, withdrawal of this rejection is respectfully requested.

V. The Rejection of Claims 24 and 26 Under 35 U.S.C. §103 Should be Withdrawn

Claims 24 and 26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Mizokawa. Withdrawal of this rejection is respectfully requested for at least the following reasons.

Claims 24 and 26 depend from claim 16. Claims 24 and 26 are not rendered obvious by Mizokawa for the same reasons as claim 16 and for the specific elements recited therein. For the reasons stated above with respect to claim 16, Mizokawa does not teach or suggest a control driver to temporarily transition an output signal from one of a normally high and low level to an intermediate level between the normally high and low levels and then to transition the output signal from the intermediate level to the other of the normally high and low levels, as recited in claim 16, from which claims 24 and 26 depend. Accordingly, Mizokawa does not teach or suggest each and every element of claim 16, from which claims 24 and 26 depend. Thus, claims 24 and 26 are patentable over the cited art.

Additionally, regarding claim 24, Mizokawa does not teach or suggest a delay network associated with a waveform controller to control a duration for which an output clock signal is at an intermediate level during a second operating mode, as recited in claim 24. As shown in Fig. 3 of Mizokawa, transmission output 'c' has a constant period for an amplitude indicating a '1.' Nothing in Mizokawa teaches or suggests any system or method for modifying the period of the '1' bit. In fact, nothing in Mizokawa teaches or suggests any reason or motivation that one of ordinary skill in the art would change the period for the transmission of a '1' bit. In Mizokawa, as shown in Fig. 3, the period of the '1' bit at transmission output 'c' is equal to the period of a '1' bit in Non-Return to Zero (NRZ) signal 'a'. Thus, if a person of ordinary skill in the art did modify Mizokawa in the manner suggested by the Office Action, the transmission output signal 'c' would have a data transmission rate different from the NRZ data 'a' signal's rate. Nothing in Mizokawa teaches or suggests changing the data transmission rate. As such, one of ordinary skill in the art would not look to modify Mizokawa in the manner suggested by the Office Action. Accordingly, Mizokawa does not teach or suggest each and every element of claim 24.

For the reasons described above, claims 24 and 26 are patentable. Accordingly, withdrawal of this rejection is respectfully requested.

VI. CONCLUSION

In view of the foregoing remarks, Applicant respectfully submits that the present application is in condition for allowance. Applicant respectfully requests reconsideration of this application and that the application be passed to issue.

Should the Examiner have any questions concerning this paper, the Examiner is invited and encouraged to contact Applicant's undersigned attorney at (216) 621-2234, Ext. 106.

No additional fees should be due for this response. In the event any fees are due in connection with the filing of this document, the Commissioner is authorized to charge those fees to Deposit Account No. 08-2025.

Respectfully submitted,

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